

JABURG WILK

LAW FIRM

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UNITED STATES DISTRICT COURT

DISTRICT OF NEW MEXICO

KATHARINE H. HENDRICKS, for
herself and all other New Mexico
residences who are similarly situated,

Plaintiffs,

v.

ALUM FINANCIAL, LLC, a foreign
limited liability company,

Defendant.

Case No.:

**DECLARATION OF ANDREW
BURWELL IN SUPPORT OF ALUM
FINANCIAL, LLC'S NOTICE OF
REMOVAL OF ACTION PURSUANT
TO 28 U.S.C. § 1441(a)-(b) AND 28 U.S.C.
§ 1332**

[Lower Court Case No.; D-101-CV-2021-
01371; State of New Mexico County of
Santa Fe First Judicial District Court]

I, Andrew Burwell, declare as follows:

1. I am a managing member of Defendant ALUM FINANCIAL, LLC ("Alum Financial"). I have personal knowledge of the facts stated herein and if called as a witness, could and would testify competently thereto.

2. In my capacity as a managing member for Alum Financial, I am familiar with and have personal knowledge of the domicile and residence of the other members of Alum

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1 Financial, and Alum Financial's place of organization and its operations. Alum Financial
2 is a limited liability company and is organized and existing under the laws of the state of
3 California.

4 3. Jody Burwell and I are the only members and owners of Alum Financial. I am
5 a citizen of the state of California. I am domiciled in Laguna Beach, California. I am not
6 licensed as an attorney in any state.

7 4. I personally know Jody Burwell. He is my father. Jody Burwell is a citizen of
8 California. Jody Burwell is domiciled in Placentia, California. Jody Burwell is not
9 licensed as an attorney in any state.

10 5. I have personal knowledge of when Hendricks served the complaint in the case
11 entitled Katharine H. Hendricks, et al. v. Alum Financial District Court Case Number D-
12 101-CV-2021-01371 (the "State Court Action") on Alum Financial. Hendricks' served
13 the complaint in the State Court Action on Alum Financial by certified mail. I received
14 the complaint on July 20, 2021. Alum Financial was unaware of the State Court Action
15 prior to Alum Financial being served the complaint on July 20, 2021.

16 6. In my capacity as a managing member of Alum Financial, I am familiar with
17 and have personal knowledge of Alum Financial's operations, past, current and projected
18 revenue, operating expenses, and profits. Alum Financial's losses would exceed \$75,000
19 were it prohibited from operating in the State of New Mexico. I have reviewed the hourly
20 rates of attorneys in the State of New Mexico. The cost of hiring a licensed New Mexico
21 attorney to represent Alum Financial in conducting its business in New Mexico would
22 exceed \$75,000 per client based on an average hourly rate of the attorneys I reviewed.

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1 I declare under the penalty of perjury that the foregoing is true and correct and that
2 this declaration was executed on this 13th day of August, 2021 in Laguna Beach,
3 California.

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5 By:


6 ANDREW BURWELL
7 Declarant
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